

Claim 6 has been canceled, without prejudice or disclaimer, and claims 1-5, 7, and 9 have been amended.

More particularly, independent claim 1 has been amended to include the subject matter of canceled claim 6 to recite that the arithmetic control means measures a size of an outer shape of the lens fixing jig based on a signal from the measuring unit.

Independent claims 7 and 8 have both been amended to recite that the arithmetic control means measures a size of an outer shape of the lens fixing jig.

As a quick synopsis of the applied prior art reference, Applicants refer to the Abstract of *Shibata*, as follows.

Shibata discloses an eyeglass-lens processing apparatus for processing a subject lens to be fitted to an eyeglass frame, which includes: a lens chuck shaft for clamping the lens; a rotating mechanism for rotating the lens chuck shaft; a first moving mechanism for moving the lens chuck shaft in a direction of a rotational axis thereof; a second moving mechanism for moving the lens chuck shaft in a direction substantially perpendicular to the rotational axis; a first feeler having a first contact point to be contacted with a front side refracting surface of the lens; a second feeler having a second contact point to be contacted with a rear side refracting surface of the lens; a support member for supporting the first and second feelers integrally or separately; and a control mechanism for controlling each of the rotating mechanism, the first moving mechanism and the second moving mechanism based on processing shape data so as to consecutively perform rotation and movement of the lens in a state where the first contact point is contacted therewith, and rotation and movement of the lens in a state where the second contact point is contacted therewith.

Shibata fails to teach or suggest, as is now recited in amended independent claim 1, that the arithmetic control means measures a size of an outer shape of the lens fixing jig based on a signal from the measuring unit.

Shibata also fails to teach or suggest, as is now recited in amended independent claims 7 and 8, that the arithmetic control means measures a size of an outer shape of the lens fixing jig.

More particularly, Applicants respectfully submit that the amendments to independent claims 1, 7, and 8 overcome the rejection of claims 1-8 under 35 U.S.C. 102(b) as being anticipated by *Shibata*, for at least the reasons set forth below.

An object of the present invention is to provide a lens shape measuring apparatus which is capable of measuring a size of an outer-diameter shape of a lens fixing jig by using a measuring element also used for measuring a lens shape, in order to solve the problem described in the Description of the Prior Art section of the specification on page 1, line 11 through page 3, line 1. The present invention as defined in amended claim 1 comprises a lens fixing jig installed in a lens to be processed to clamp the lens; a lens rotation shaft for clamping and rotating the lens to be processed; a measuring element abutted on a refracting surface of the lens clamped by the lens rotation shaft; a measuring unit for measuring a moving distance of the measuring element; and arithmetic control means for identifying a shape of the lens fixing jig, wherein the arithmetic control means measures a size of the outer shape of the lens fixing jig based on both the moving distance of the measuring element and a signal from the measuring unit.

The present invention of this application differs from that of *Shibata* in that the lens-shape measuring section (500) disclosed in *Shibata* has a function to measure a shape of a lens only. Accordingly, the lens-shape measuring section (500) has no function capable of measuring

a size of an outer-diameter of a lens fixing jig together with measuring a lens shape (see *Shibata* column 11, lines 32-56 of column 12, figure 13-15).

Applicants respectfully submit that the amendments to claims 1-5, 7, and 8 do not add new matter. Applicants also respectfully submit that amended claims 2-5 are either directly or indirectly dependent upon amended claim 1 so that arguments serving to patentably distinguish amended claim 1 from the prior art of record are available, among others, to patentably distinguish amended claims 2-5. Based on the foregoing, Applicant respectfully requests withdrawal of the rejection of the claims under 35 U.S.C. § 102(b) as being anticipated by *Shibata*, and allowance of amended claims 1-5, 7, and 8.

In view of the foregoing, amended claims 1-5, 7, and 8 are believed to be in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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IN THE CLAIMS:

Please cancel claim 6, without prejudice or disclaimer, and amend claims 1-5, 7, and 8, as follows:

1. (Amended) A lens shape measuring apparatus, comprising:

a lens fixing jig installed in a lens to be processed to clamp the lens;

a lens rotation shaft for clamping and rotating the lens to be processed;

a measuring element abutted on a refracting surface of the lens clamped by the lens rotation shaft;

a measuring unit for measuring a moving distance of the measuring element; and

arithmetic control means for identifying a shape of the lens fixing jig, wherein the arithmetic control means measures a size of an outer shape of the lens fixing jig based on both the moving distance of the measuring element [measured by the measuring unit] and a signal from the measuring unit.

2. (Amended) [A] The lens shape measuring apparatus according to claim 1, wherein [said] the lens rotation shaft is swung to be brought close to[/separated] and to be separated from [said] the measuring element.

3. (Amended) [A] The lens shape measuring apparatus according to claim 1, wherein [said] the measuring element includes a pair of feelers to be brought into contact with the lens to be processed.

4. (Amended) [A] The lens shape measuring apparatus according to claim 1, wherein [said] the measuring unit includes a measuring element moving amount detecting mechanism.

5. (Amended) [A] The lens shape measuring apparatus according to claim 1, wherein [said] the arithmetic control means controls [said] the lens rotation shaft according to a measuring element moving amount detecting signal of [said] the measuring unit.

6. (Cancelled).

7. (Amended) A lens shape measuring apparatus, comprising:

a lens fixing jig installed in a lens to be processed to clamp the lens;

a lens rotation shaft for clamping and rotating the lens to be processed;

a measuring element abutted on a refracting surface of the lens clamped by the lens rotation shaft;

a measuring unit for measuring a moving distance of the measuring element in a direction roughly parallel to the lens rotation shaft; and

arithmetic control means for moving a tip of the measuring element relatively in the direction roughly parallel to the lens rotation shaft, measuring a distance from a measuring reference position of the measuring element to an abutting position of the same by the measuring unit, and identifying a shape of the lens fixing jig based on a result of the measurement, wherein the arithmetic control means measures a size of an outer shape of the lens fixing jig.

8. (Amended) A lens shape measuring apparatus, comprising:

a lens fixing jig installed in a lens to be processed to clamp the lens;

a lens rotation shaft for clamping and rotating the lens to be processed;

a measuring element abutted on a refracting surface of the lens clamped by the lens rotation shaft;

measuring element rotating means for controlling rotation of the measuring element around a rotation shaft roughly parallel to the lens rotation shaft;

a measuring unit for measuring a moving distance of the measuring element in a direction roughly parallel to the lens rotation shaft; and

arithmetic control means for rotating a tip of the measuring element around the lens rotation shaft, and identifying a shape of the lens fixing jig based on a distance of [the] an abutted position of the tip of the measuring element from a measuring element reference position, wherein the arithmetic control means measures a size of an outer shape of the lens fixing jig.